

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

HRIBAR TRANSPORT LLC,

Plaintiff,

Case No. 20-cv-1255-pp

v.

MICHAEL SLEGGERS,

Defendant.

**ORDER REMINDING PLAINTIFF OF OPTION TO FILE AMENDED
COMPLAINT IN LIEU OF RESPONDING TO DEFENDANT'S MOTION TO
DISMISS (DKT. NO. 7)**

On August 31, 2020, the defendant filed a motion to dismiss the complaint under Federal Rule of Civil Procedure 12(b)(6), along with a brief in support. Dkt. Nos. 7, 8. The defendant argues that he had insufficient contacts with Wisconsin so the court should dismiss the case for lack of personal jurisdiction. Dkt. No. 8 at 1.

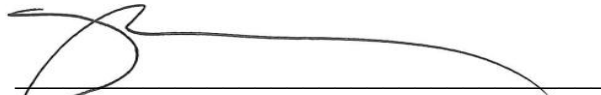
Under Civil Local Rule 7(b), if the plaintiff wishes to oppose the motion it must do so within twenty-one days—that is by September 21, 2020. The plaintiff is free to timely file a response to the motion to dismiss, but the court reminds the plaintiff that it has another option—it may file an amended complaint to try to cure the alleged deficiencies. See Runnion ex rel. Runnion v. Girl Scouts of Greater Chi. and Nw. Ind., 786 F3d 510, 522 (7th Cir. 2015) (explaining that a responsive amendment may avoid the need to decide the motion or reduce the number of issues decided). Fed. R. Civ. P. 15(a)(1) allows

the plaintiff to file the amended complaint as a matter of course within twenty-one days after service of the responsive pleading.

The court **ORDERS** that by September 21, 2020 the plaintiff shall file either an amended complaint or a response to the motion to dismiss.

Dated in Milwaukee, Wisconsin this 1st day of September, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge